

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:15 CV 33**

THOMAS H. PRICE, Administrator of the Estate of Aaron V. Price, Deceased,)	
)	
Plaintiff)	
)	<u>ORDER</u>
v)	
)	
U.S. GEAR TOOLS, INC., TEXTRON, INC., AECOM, INC., and MICROMATIC, LLC,)	
)	
Defendants.)	

THIS MATTER is before the undersigned upon the Plaintiff's Motion to Add Additional Party Defendant, to File Amended Complaint and to Extend Discovery (#26). The Court first notes that upon the caption of Plaintiff's motion, the Plaintiff has incorrectly stated the file number in this matter as 1:15cv35. The correct file number is 1:15cv33. An examination of this motion further shows that Plaintiff has failed to comply with LCvR 7.1(C). That Rule provides as follows:

(C) **Requirement of Briefs.** Briefs shall be filed contemporaneously with the motion, except no brief is required in support of timely motions for extension of time, continuances, admission *pro hac vice*, or early discovery. Exhibits in support of a brief shall be attached as appendices as specified in the Administrative Procedures. Factual contentions shall be supported as specifically as possible by citation to exhibit number and page.

The Plaintiff has not filed a brief contemporaneously with the filing of

Plaintiff's motion and as a result, the motion will be denied without prejudice.

ORDER

IT IS, THEREFORE, ORDERED that Plaintiff's Motion to Add Additional Party Defendant, to File Amended Complaint and to Extend Discovery (#26) is **DENIED** without prejudice.

Signed: November 13, 2015

Dennis L. Howell
Dennis L. Howell
United States Magistrate Judge

